

New-England's Spirit of Persecution

Transmitted To

PENNSILVANIA;

And the Pretended *Quaker* found Persecuting the True

Christian - Quaker,

IN THE

TRYAL

OF

*Peter Boss, George Keith, Thomas Budd,
and William Bradford,*

At the Sessions held at *Philadelphia* the Nineth, Tenth and
Twelfth Days of *December*, 1692. Giving an Account
of the most Arbitrary Procedure of that Court.

Printed in the Year 1693.

The Right Hon. Lord of the Treasury

Whitehall

RECEIVED

of the Treasury

Quarterly

1811



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By the Hon. George John, Treasurer

of the Treasury

Printed in the Year 1811

The Introduction.

TO the end that all Impartial People may have a right understanding in the present Prosecution, I intend to give a short Relation of the first rise and cause and ground of this present Difference, and Persecution.

In the Year 1689. by the good Providence of God *George Keith* was earnestly invited to remove from his Plantation in *East-Jersey*, to keep a School in *Philadelphia*, which he did; but kept an Usher and spent a great part of his time in Reading, Meditation, Visiting Meetings, and answering the Conscientious Doubts and Questions of many People; and there was a more than ordinary seeming Satisfaction in general among the People called *Quakers*, that they were so favoured with the assistance of *George Keith*. But alas! this great love was but short liv'd; and as in other Cases one Extream begets the contrary, so in this; for their love and respects to him were never so great, but now the Envy and Hatred of many exceeds; and that upon the account of his Christian Testimony. For it was but a little time that he had been amongst us, and I reached the true Faith of Christ, both without and within, but some began to be dissatisfied, and whispered it about in private, which, when he came to understand, he laboured in much love and tenderness to undeceive and satisfy those that he came to know were dissatisfied; and some did receive good Satisfaction; but others cast his Labours of Love behind their backs; and much whispering and back-biting there were in private against the doctrine held forth by *G. K.* and some began to contradict his Testimony in publick Meetings; but yet this were born with, and no open Difference until one *William Stockdale* accused *Geo. Keith* of Preaching *Two Christs*, because he held forth (as necessary to our Salvation) The Faith of Christ as he dyed for our Sins, rose again for our Justification, and ascended into Heaven and is in Heaven in the true and entire glorified Nature of Man, our Mediator with the Father; and also, That Christ was spiritually present by his Light & Life, in all his Children. Whereupon he dealt with him, and endeavoured much to convince

him, but not prevailing, G. K. laid it before a Meeting of them of the Ministry, but they did nothing in the matter, but chiefly blame and contradict G. K. in his Doctrine. Whereupon G. K. did again renew his Complaint to them of the Ministry at the Yearly Meeting at Philadelphia the 7th Month, 1691. desiring to know their sense and judgment, viz. Whether to preach Faith in Christ within us, and Faith in Christ without us, was to preach Two Christs, or One? and six Meetings were held in debate about this matter, and yet nothing done in it: So this past on, and some Months after *Tho. Fitzwater* openly in a Monthly Meeting accused G. Keith, That he denied the sufficiency of one Light; which G. K. denied, but T. F. said, he would prove it at the next Monthly Meeting; which being come, G. K. called on T. Fitzwater to prove his Charge, which he endeavoured to do, and brought W. Stockdale for his Evidence, but to no purpose, only W. Stockdale again renewed his Charge against G. K. in the open Meeting, to the admiration of many, to see his great Ignorance and Impudence; but seeing that T. F. was not like to prove his Charge against G. K. *Thomas Lloyd*, and some few others with-drew, yet the generality of the Meeting stayed, and after some time it growing dark, *John Jenner*, (a great stickler against G. K.) desired that the Meeting might be adjourned till the next day, which was unanimously agreed unto, and also by *Tho. Fitzwater*; the next day all Parties appeared, and great and long Contention there was most part of that day betwixt *George Keith* and *Tho. Lloyd*, *Arthur Cook*, &c. G. K. affirming and arguing for the Necessity of the Faith of Christ crucified, &c. the others denying, and arguing, That the Light within was sufficient without the Man Christ Jesus, &c. but finding that the stream went against them, T. Lloyd, A. Cook and some others with-drew, and the Meeting (consisting of at least Sixty Monthly Meeting Members) proceeded & gave Judgment against T. Fitzwater and W. Stockdale, the substance of which was, That they should forbear preaching and praying in Meetings till they had condemned their Ignorance and Unbelief, &c. but at the next Quarterly Meeting, a Party withstood the said Judgments, and said, That the Persons being Ministers, none but them of the Ministry were fit to judge; which many thoughts relisht too much of Popery; yet notwithstanding many showed their dislike thereto, *Tho. Lloyd*, *Arthur Cook*, *Sam. Jennings*, &c. denied the said Meeting and Judgment; & then it was that T. Lloyd's Party changed their time and place of meeting against and contrary to the declared

declared mind of their then Brethren, who gave their Reasons why they consented not to the changing the Time and Place of meeting; but prevailed nothing with them, for the next first Day *George Keith* and Party met at the usual time and place, and *Tho. Lloyd* and party went to the Meeting house at the Centre, which made the first Separation. Now the Difference being thus far advanced, caused much discourse and enquiry into the matter by all sorts of People, and great flocking to Meetings there was, both in Town and Country, where *G. K.* came, and his Testimony had much Reception in the hearts of many; which being perceived by *Tho. Lloyd* and Party, the only Expedient they could devise, was to condemn *G. K.* whereupon the 20th of the 4th Mon. 1692. Twenty Eight of them called Ministers met together at *Philadelphia*, & without ever so much as acquainting *G. K.* published a Paper of Judgment against him, condemning him as a Person without the fear of God before his Eyes, &c. which done, *Thomas Lloyd*, *Samuell Jennings*, *Arthur Cook*, *John Delavall*, and others made it their business to follow *G. K.* from Meeting to Meeting, violently opposing his Testimony, and sometimes making use of their Magistratical Power to effect their designs, which caused great Contentts and Confusions; and *G. K.* from time to time complaining of their Injustice, for condemning of him without all Hearing or Tryal, upon a time in *Chester-County*, *Tho. Lloyd* said, *George, if thou thinkest thy self aggrieved by that Judgment, there is Relief for thee; thou may appeal to the Yearly Meeting, which is now approaching*; which advice *G. K.* followed, and made an Appeal to the said Yearly Meeting, and proposed twelve particular Heads to be considered, discoursed of and resolved by the People called *Quakers* at the said Yearly Meeting, and that they might have Timely notice of the said Appeal, and be the better prepared to answer it, *G. K.* procured the said Appeal to be printed. Which was no sooner done, but they Issued forth a Warrant, and apprehended *William Bradord* the Printer, and *John M^o Comb*, who (as they were informed) had disposed of two of the said Papers, and committed the said *W. B.* and *J. M.* to Goal; and also seized all the said Papers they could meet with, and took away a good quantity of *W. Bradords* Letters, tending to the disabling of him to work for his Wife and Children; and upon pretence of another Warrant granted without any Conviction, signed by *Samuell Jennings* & *Robert Ewer* Justices, *John White*, the Sheriff, took Goods out of the Shop of *W^ol. Bradord*

half as much more as the said Warrant was for. Whether these Actions are most like to the poor despised and persecuted *Quakers*, or their Persecutors, is left to all Impartial People to judge.

Here follows a Copy of the Mittimus.

W Hereas William Bradford Printer, and John Mth Comb Taylor, being brought before us, upon an Information of Publishing, Uttering & Spreading a Malitious and Seditious Paper, entituled, An Appeal from the twenty eight Judges to the Spirit of Truth, &c. Tending to the Disturbance of the Peace and Subversion of the present Government; and the said Persons being required to give Security to answer it at the next Court, but they refusing so to do, These are therefore by the King and Queens Authority, and in our Proprietary's Name, to require You to take into Your Custody the Bodies of William Bradford and John Mth Comb, and them safely keep till they shall be discharged by due Course of Law. Whereof fail not at your Peril; and for your so doing, this shall be your sufficient Warrant. Given under our Hands and Seals this 24th of August, 1692.

These to John White Sheriff of Philadelphia, or his Deputy.

Arthur Cook,
Samuell Jenings,
Samuell Richardson,

Humphery Murrey,
Robert Ewer.

Now the' they had got these two poor men into Goal, and though all sober People did resent their Proceedings very ill, and as proceeding from a cruel Spirit of Persecution; yet the next day they met again, in order to proceed against G. K. and several other Persons in the like manner, and for two other Justices that were not called *Quakers*, to assist them in this work of Prosecuting several seditious and dangerous Persons, that were like to subvert the Government! as they pretended; but contrary to their expectation, the said two Justices that were not called *Quakers*, viz. Lacy Cook a Lutheran, and John Holme a Baptist, declared their dissent from them in these Proceedings, signifying, That the matter was a Religious Difference among themselves, (viz. the *Quakers*) and did not relate to the Government; John Holme particularly advising them To send for Geo. Keith, and let him

him interpret his own words, and upon a hearing of him, if it any way appears that he strikes at the Government, I will (said Justice Holmes) joyn with you against him with Heart and Hand; but this Advice had no weight with them; whereupon the said two Justices left them, and our New modelled Persecuting Quakers being warmly bent to root out Sedition forthwith! proceeded in their Work, and as they had judged G.K. in their Spiritual Court without all Hearing or Tryal, so in like manner they prosecuted him in their Temporal Court without all Hearing: Why! to have done otherwise would have given the Lye and Contradiction to their Spirit of Discerning, which Justice Cook declared to be such, That they could judge of matter of Fact without Evidence; and therefore it would have been ridiculous for them to have sent for G. K. and asked him, Whether he was the Author of such a Paper that his Name was to? or to have enquired of him, Whether it was against the Government that he intended by such and such words therein? No, for their Spirit of Discerning told them all that, and therefore without more to do, proclaimed G. K. by the common Cryer in the Market-place, To be a Seditious Person, and an Enemy to the King and Queens Government: But these Magistrates would do well to consider the Actions and End of Emption and Duality, and whether they have not violated the Fundamental Laws of English Subjects as well as they, and that in convicting men without Tryal, as shall be made appear anon, 1st. in the Case of George Keith & Two, Budd, 2^{dly}. in the Case of William Bradford, and 3^{dly}. in the Case of John M^r Comb.

1st. Here follows a Copy of the Publick Writing that was proclaimed by the common Cryer in the Market place against G. K.

At a Private Sessions held for the County of Philadelphia the 25th of the 6th Month, 1692. before Arthur Cook, Samuel Jennings, Samuel Richardson, Humphry Murrey, Anthony Morris, Robert Ewer, Justices of the County.

W Hereas the Government of this Province, being by the late King of England & peculiar Favour vested, and since continued in Governour Penn, who thought fit to make his and our worthy Friend Thomas Lloyd his Deputy Governour, by and under whom the Magistrates do all in it in Government. And whereas it hath been proved before us, that George Keith being a Resident here, did, contrary to his Duty publicly

publicly revile the said Deputy Governour, calling him an Impudent man, telling him he was not fit to be Governour, and that his Name would stink, with many other slighting and abusive Expressions, both to him and the Magistrates; and he that useth such Exorbitancy of Speech towards the said Governour, may be supposed will easily dare to call the Members of Council and Magistrates Impudent Rascals, as he hath lately called one in an open Assembly, that was constituted by the Proprietary to be a Magistrate. And he also charges the Magistrates who are Ministers here, with engrossing the Magistratical Power into their hands, that they might usurp Authority over him, saying also, he hoped in God he should shortly see their Power taken from them; which he said in a most indecent manner. And further, the said G. K. with several of his Adherents, having some few dayes since, with an unusual Insolency, by a printed Sheet, called, An Appeal, &c. Traduced, and vilely mis-represented the Industry, Care, Readiness and Vigilency of some Magistrates, and others here, in their late Proceedings against some Privaters, viz. Babbit and his Crew, in order to bring them to Condign Punishment, whereby to discourage such Attempts for the future; and hath thereby also defamed and arraigned the Determinations of Provincial Judicatory against Murderers; and not only so, but by a wrong Insinuation have laboured to possess the Readers of their Pamphlet, That it is inconsistent for those who are Ministers of the Gospel to act as Magistrates. —

Now so far as we, as well as others, have born, and still do patiently endure the said George Keith and his Adherents many Personal Reflections against us, and their gross Revilings of our Religious Society, yet we cannot without the Violation of our Trust to the King and Governour, as also to the Inhabitants of this Government, pass by or connive at such part of the said Pamphlet and Speeches, that have a tendency to Sedition and Disturbance of the Peace, as also to the Subversion of the present Government, or to the aspersion of Magistracy thereof. Therefore for the undeceiving of all People we have thought fit by this Publick-Writing, not only to signify that our Proceedure against the Persons now in the Sheriffs Custody, as well as what we intend against others concerned, in its proper place, respects only that part of the said printed Sheet, which appears to have the tendency aforesaid, and not any part relating to Differences in Religion. But also, these are to Caution such who are well affected to the Security, Peace and Legal Administration of Justice in this place, that they give no countenance to any Revilers and Contemners of Authority, Magistrates or Magistracy; as also, to warn all other persons, that they forbear the future publishing and spreading of the said Pamphlet,

Pamphlet, as they will answer the contrary at their peril. Given under our Hands and County-Seal, the Day, Tear and Place aforesaid.

Arthur Cook,
Samuell Jennings,
Samuell Richardson,

Humphery Murrey,
Robert Ewer.
Anthony Morris.

Note, There being an Answer to this Proclamation published in priat by G. K. and T. B. I shall only in this place make these following Observations.

*First, They say, At a private Sessions, &c. and then relate a Preamble of the Government being vested in W. Penn, who had made T. Lloyd is Deputy, &c. Did they think to tell us News in this, or did they think we had forgot Thomas Lloyd was Deputy Governour? Surely methinks not the latter, since we have been so smartly remembered thereof by his Agent *Wiste*, who (when they could not effect their late great Tax) went about, — *Begging the People to remember the Poor Gentleman!* which many did to their Cost; so that one would think the passage might have been spared: Oh, but 'tis plain their end therein is to insinuate, That Geo. Keith being legally and judiciously brought before the Governour to answer to some heinous Crime and Misdemeanour, and that a Multitude of People were present to hear how he could answer for himself (for they say, Publickly Reviled, &c.) yet this G. K. like a Rude man, tho' he pretends to be a Minister, was so far from behaving himself before the Governour like a Christian, that he fell a Reviling him, and amongst other scandalous Expressions, said to him, *Thou Impudent Man, thou art not fit to be Governour, thy Name will stink*: Certainly their drift was to possess the Readers with this Belief, as is clear and evident from their following supposition, or rather suggestion, where they say, *Hethat useth such Exorbitancy of Speech to the Governour, will easily dare to call the Members of Council and Magistrates Impudent Rascals, as he hath lately called one in an open Assembly, who was constituted by the Governour to be a Magistrate.* Which also is a base and wicked insinuation; for George Keith never spoke those words to any of them as Magistrates or Officers in the Government, neither did he ever speak to the present Governour all those words together, as is insinuated by the said Paper, but on the contrary, what he spoke to *Tho. Lloyd* was in Monthly Meetings and Religious Controversies, and *T. Lloyd* hath said several times*

times, *That he would take no advantage by words spoke at such times; but we find them practise the contrary; for on a certain time T. L. stood up, and affirmed, That G. K. was guilty of Contradiction, and being put to prove it, said, That fifteen years ago in his printed Book he owned the Seed to be Christ: Whereupon G. K. said, Thou Impudent man, I do not deny it now, but own it as much as ever.* But by all the diligent enquiry that I have made, I cannot find that G. K. said, he was not fit to be Governour, but if he had so said, I query, Whether it was such an intollerable Expression? 1st. Because its expressly provided by the second Chapter of the Laws of this Province, *That all Officers and Persons commissioned and employed in the Government, shall be such as profess and declare, They believe in Jesus Christ to be the Son of God the Saviour of the World, &c.* But, 2^{dly}. *Tho. Lloyd* its well known, has often denyed and argued against the Faith of Christ, as he dyed for our sins, &c. And as to G. K. saying, *That his Name would stink*, T. L. knows in his Conscience, that it was spoke to him only as he was one of the 28 unjust Judges, for giving of false Judgment against him, and that without all hearing or Tryal. And as touching the Person whom they say, he call'd, *Impudent Rascal*, it was one whom he knew not to be constituted, as they say he was; but his Brother being so constituted, and refusing to serve, the People of the Town chose him in his Brothers stead to serve as a Magistrate within that Town bounds, which was altogether unknown to G. K. and therefore *Rauls* excuse, *Acts 23. 4. I wist not Brethren that it was the High Priest*, might be an Apology for him. But let us consider the word *Rascal*; according to *Gouldman's Dictionary*, a *Rascal* is a *Brawler*, and *Empty Talker*, and one that deceiveth his Neighbour by false and weak Arguments, and Cole in his *Latine & English Dictionary* saith, the Latine word *Nebulo*, cometh of the Hebrew word נבל *Nabal*, and any ordinary School-Boy that hath but learned his Accidence, knoweth that *Nebulo* signifieth, *Rascal, Villian, Knave or Rogue*, and in Scripture we find the same word, see *Isa. 32. 6. כי נבל נבלה ירבר* For the Rascal will speak Villianly; and *Jer. 29. 23. עשי נבלה* They commit Villiany; and as *Gouldman* in his Dictionary saith, a *Villian* and a *Rascal* is of the same Signification. But this Person whom they mention, went about to deceive his Neighbours by false and weak Arguments, viz. *That he did not expect to be saved by that which dyed at Jerusalem; And that God was not present in all his Creatures; which Unchristian and Atheistical Principles G. K.*
being

being about to refute in a Monthly Meeting, and holding forth, *That God was present in all his Creatures*, this Person stood up, and with much Opposition Questioning, as *Paul's* fool did about the Resurrection) said, in a rude and boisterous manner, *What George? Doth the Spirit of God speak in Trees?* Whereupon G. K. said (being greatly provoked by his Interrupting of him, and Unchristian behaviour and Discourse) *Thou Impudent Rascal, who saith the Spirit of God speaks in Trees, as it doth in men?* But to make the thing seem Odious, the Publishers of this Publick-Writing say, *It was in a publick Assembly*, as if it had been in some Court, or as if he had been brought before this Magistrate. (as they call him) upon some Examination, and there, instead of behaving himself soberly, he presently calls him *Impudent Rascal*; this they would falsely innuendate, as also, *That before long he'll go into the Council Room, and into the Courts, and there Revile the Councillors and Magistrates, & call them Impudent Rascals.* Oh, the Horrid Impudency of these Men! Let Shame cover their faces, if they have any left in them!

And whereas they further say, *That G. K. with several of his Adherents with an unusual Insolency having Traded the Industry, Care and Vigilancy of some Magistrates here, in their late Proceedings against some Privateers, &c. and hath thereby also defamed and arraigned the determinations of the Provincial Judicatory, &c.* As if G. K. and several others had printed a Book, and defamed and arraigned them, and denyed their Power of Magistracy; whereas all that impartially read the said printed Appeal will find that G. K. did not defame nor arraign them, but they having given a Commission and hired men to fight, (which was diametrically opposite and contrary to the often declared and known Principle of the People called *Quakers*, against all Use of the Carnal Sword,) it was proposed, amongst other things, to be considered by all faithful Friends at the Yearly Meeting, whether these men ought not to be condemned & disowned as *Quakers*; but it was never intended to deny them to be Magistrates, for as Magistrates they were obliged to do what they did, and it was Commendable in them who did so Commissionate and hire men to fight, and also search the Town for Arms, &c. But the great Question is, *Whether they did not Transgress as they professed to be Ministers and Quakers?* If nay, but that the Care and Vigilancy of these Magistrates here at Philadelphia, called *Quakers*, is worthy of Commendation, as they intimate, for saving

of a Sloop by Force of Arms, how much more shall their care and vigilency be worthy of Commendation, to raise a Militia to save and defend the whole Country, if any occasion should offer? but how steadfast this doth manifest them to be to the Quakers Principle of *Refusing in all cases to fight, and that for Conscience sake, I shall leave all to judge.* I always thought that which was a matter of Conscience to the Quakers in Old England, Barbadoes, and other places, had been a matter of Conscience to them under a Government of their own, but I find the contrary in these Magistrates & many others joyned with them here. But that which seems the most strange to several observing Persons in this place, is, that several called Quakers in Maryland, Barbadoes, and other places, that pretend its a matter of Conscience to them *not to bear Arms*, yet now will own these here in that Practice, unless they now think to leave that Article out of their Creed.

In the next place, whereas *Peter Boff* being offended with the Judgment of the 28. writ a Letter to *Samuell Jennings*, (being then in Church Fellowship with him) showing his dislike thereof, and telling S. J. of some of the Scandals he lay under, for this they issued forth a Warrant against him, and put him into Prison, without ever dealing with him in a Church method, and at the next Court presented him for the same, to which Court he was bound to answer, where he gave his attendance, with his Witneses ready, but not brought to Tryal, although much desired by him and his Wife, who urged the Injuries of the delay thereof.

At the same Court *William Bradford* & *John Mth Comb* appeared, and desired they might come to Tryal, it being greatly to their prejudice to be kept Prisoners, & saying, it is provided by *Magna Charta*, That Justice shall not be delayed to any, and we being free-born English Subjects, claim this as our Priviledge, and hope this Court will not deny it us, because not only our Persons are restrained, but *William Bradford's* working Tools are detained from him, with which he should work to maintain his Family.

Justice Cook said, *What Bold, Impudent and Confident Fellows are these to stand thus confidently before the Court.*

J. Mth Comb, You may cause our Hats to be taken off, if you please.

W. Bradford, We are hear only to desire that which is the Right of every free born English Subject, which is *speedy Justice*, and its strange that that should be accounted *Impudence*, and we *Impudent Fellows* therefore,

fore, when we have spoke nothing but words of Truth and Soberness in requesting that which is our Right, and which we want, it being greatly to our prejudice to be detained Prisoners.

J. Cook, (speaking to *W. Bradford*) said, *If thou had been in England thou would have had t'ry back slash be, ere now.*

W. B. I do not know wherein I have broke any Law, so as to incur any such Punishment.

Justice Jennings, *Thou art very ignorant in the Law surely, does not thou know that there's a Law that every Printer shall put his Name to the Books he prints, or his Press is forfeited.*

W. B. I know there was such a Law, and I know when it expired.

J. Cook, *But it is revived again, and is in force, and without any regard to the matter of the Book, provides, that the Printer shall put his Name to all that he prints, which thou hast not done.*

But waving from that, the Prisoners still prest for a Tryal. To which Justice Cook said, *A Tryal you shall have, and that to your Cost too, it may be.* And Justice Jennings said, *A Tryal you shall have, but for some Reason known to us, the Court defers it to the next Sessions; and that is the Answer we give, and no other you shall have.*

All this time, *John Waise*, Sheriff, pleaded vehemently against the Prisoners, greatly aggravating their (pretended) Crimes; and when complained of, that the Sheriff, (through whose hands goes all Fines and Forfeitures) should be so bitter an Attorney against the Prisoners, he cloaked it under the Visor of a Prothonotary.

So this Court passed over, & the said Persons not brought to Tryal, but yet not wholly barren of Action, nor void of Injustice; for tho' they had not only got *W. Bradford* into Prison, and taken his Letters from him, (with which he should work) and his Paper and Books out of his Shop, but also they had got the Body of *John M^r Comb*, with which one would think they might have been satisfied, had any thing of tenderness remained in them, the time they committed him being when his Wife was newly brought to Bed, and who lay very weak in a strong Fever, and several thought she would not live, and that he acquainted them of her Condition, and how destitute his Family was, requesting them to let him go home, and he would promise to be ready at any time they should call for him; This they would not grant, but to Prison he was sent; (tho' to give every one their due, *Waise* the Goaler was so kind as to let him go home an hour or two sometimes in

an Evening after it was dark) yet our hot spur'd Justices (being newly booted and spur'd with their *Five Pound Spurs*) being not satisfied with having his Body, would do what in them lay, to ruin him and his Family; for whereas he kept an Ordinary, and for his Licence to do so had paid Governour Lloyd Twelve Pieces of Eight, which is *Three Pound Twelve Shillings* for the last twelve Months before [*No inconsiderable Price for a Licence*] yet they now proceeded to suppress his keeping of an Ordinary, though he had fulfilled, and in no respect transgressed the Conditions of his Licence, as will appear by a Copy of the said Licence, which here follows verbatim, viz.

By the Lieutenant Governour.

Philadelphia St.

John M^{rs} Comb requesting Licence from me to keep an Ordinary in Philadelphia, and he being recommended to me as a fit and qualified Person for such an Employ; I do hereby admit & Licence the said John M^{rs} Comb to keep an Ordinary, or a House of Publick Entertainment in the House now situate in, he taking care, according to Law, to keep good Orders and sufficient Conveniences for Man and Horse. This Licence to continue for a Twelve Month ensuing the date hereof. Given at Philadelphia the Tenth day of the 4th Month, 1692.

Thomas Lloyd:

Now let us hear what great and heinous Crimes are alledged for the suppressing John M^{rs} Comb in his Employ: If he had transgressed any Law, or broke any Conditions in his Licence, they ought to have call'd him before them, and convicted him thereof, but without ever so doing, they suppress his *so-dear-bought-Licence*, as follows.

At a Court held at Philadelphia the 4th of October, 1692.

The Court taking notice of John M^{rs} Comb's Contumacious Behaviour, as also his spreading a Seditious Paper in his House, to the Disturbance of the Peace, do therefore suppress his Licence, and do Command him not to presume to keep an Ordinary after the Tenth Day of the next Month, being November, on pain of incurring the Penalty of the Forfeiture of Five Pound for keeping an Ordinary without a Licence: And that notice be given him of this Order.

A true Copy by John White, Deputy Clerk.

Notary.

Note, That the *Contemptuous Behaviour* they mention, was his and W. B.'s requesting of the Court to come to a Trial, as before is related; and the *Seditious Paper* they mention, was the printed *Appeal*, which he having bought two of them, & some Persons happening to see them, got them from him again, because it suited not with their convenience to go so far as the Printer's; and J. M. did not buy or receive them to sell again, but his disposing of those two Papers was accidental, and for which he was imprisoned, and to come to Trial for it, but this satisfied not these cruel men, for they make that a main matter whereby to suppress his Lifence [No less than two Punishments for one Offence] and yet though they were so zealously warm to prosecute and punish these Offenders, and which (they said) they could not avoid, without violating their Trust to the King and Governour; yet without any Violation of their said Trust they could pass by several others that were much more concerned in spreading those Papers than J. M. Oh! the Partiality, Deceit and Cruelty of these Men!

This Sessions passeth over, and the said Persons continued under Dureſs till the next Sessions, which being come, let us hear the Proceedings, which here follows, viz.

At a Court of Quarter-Sessions held by the King and Queens Authority, and in the Proprietary's Name at Philadelphia the 6, 7, 8, 9, 10 & 12 days of the 10th Month, 1692.

There being present on the Bench, as Justices,

Samuell Jennings,	} Robert Ewer,	} Quakers.	
Arthur Cook,			} Henry Waddy,
Samuell Richardson,			} Griffith Owen,

John Holmes,

Robert Turner, 10th and 12th days.

Lacy Cock, and Anthony Morris on the 12. day.

The Names of the Persons, that presented Peter Boss, George Keith, Thomas Budd, William Bradord, &c.

† Alexander Beardsly, † William Carter, † John Jennit, Will. Oxly, Emanuel Danson, William Allaway, Lewis Thomas, Reece Peters, John Comes, Christopher Pennock, Mouns Jones, Thomas Griffith, † William Marwood, William Hearn, Will. Finley, Will. Lawrance.

Obſerv.

Observ. That most, if not all of these men are known to be highly prejudic'd against *G. K. T. B.* and those that joyn with them, because of their zealous Testimony to Christ without, as well as Christ within: And *John White*, Sheriff, is known to be greatly prejudic'd against them, who packt this jury on purpose to present & defame *G. K.* and the rest as was in some degree well observed by Justice *Holme*, when he with they brought in new Presentments against *G. K.* in matters concerning their Religious Differences, for which he was sharply reprov'd and menaced on the Bench by *Samuell Jennings* and *Arthur Cook*, the last saying, *They were the Fathers of the Country, and they had done well, and like honest men, in bringing in those Presentments, and they gave them Thanks, for their care and pains; but (said Justice Cook) if they must be found fault with, who will serve upon a Grand Jury? & so went on highly resenting those few words Justice Holme had spoke; Arthur Cook, not minding that himself had said some little time before, to a Grand Jury, of more substantial men than these (upon their bringing in a Presentment that did not please him) you are a Company of Infamous Men:* and for which he was presented by the next Grand Jury, but tis suppos'd that Presentment was buried in the Clarks study of Oblivion, for we have never heard more of it.

The 9th day of the 10th Month, *Peter Bos* call'd into Court, and set to the Bar.

Cryer, O Yes, Silence is commanded, upon pain of Imprisonment.

The Presentment read.

Philadelphia, the 9th of the 10th Month, 1692. We of the Grand Jury for the Body of this County, do present *Peter Bos*, for that he hath accus'd *Samuell Jennings*, being a * Magisterial Officer, with being an unjust Judge, and of his being Drunk, and of laying a Wager with *John Slocum*, and for many other scandalous, reproachful and malicious Expressions, to the Defaming of him, and tending to the Disturbance of the Peace, contrary to the Law in that case made and provided.

Clark. *Peter Bos*, What sayst thou, art thou guilty or not guilty?

Peter Bos, Not guilty in manner and form as there presented.

Clark, By whom wilt thou be tryed?

Peter Bos. By God and the Country.

Clark, Call over the Jury.

Humphery

Humphery Waterman, Joseph Kirtle, J. Thomas Wharton, Tho. Martle, Richard Sutton, Samuell Hoult, J. James Fox, Abraham Harsan, Nicholas Ricaut, Thomas Morris, Richard Walker, J. John Whitpane.

Clark. Dost thou object any thing against any of these persons?

Prisoner. Yes, I object against all of them that are called *Quakers*, because they are such as I know to be deeply prejudiced against G. K. and all that favour him, but am willing to be tryed by any that are not called *Quakers*, or such of them as are not manifestly prejudiced. But they would not allow of his Exception. Whereupon the jury were attented. The form of the Attestation, as follow's, viz.

In the Presence of Almighty God and this Court, you shall promise, well and truly to try & true Deliverance make betwixt the Honourable William Penn, Proprietary and Governour of this Province, and the Prisoner at the Bar, according to Evidence.

After which, *David Lloyd* first, and *John White* next pleaded very hard against him, that that Letter did defame *Sam. Jennings* as a Magistrate, confirming it, as they pretended, by reading some Passages out of some Law-Books, and some Laws of this Province against defaming Magistrates.

To which the Attorneys of *Peter Bost* pleaded, That he acknowledged the writing that Letter, but what was said therein concerning *S. Jennings*, was not against him as he was a Magistrate, nor could it be reckoned a Defamation, because 'twas only a private Letter sent to himself, showing his dislike in some things, and desiring him to clear himself of other gross & scandalous things that were reported of him, as is usual for one Church Member to do to another; & they brought a Case out of *Shepherd's Faithful Counsellor*, that what is said must be *Falso & Maliciose*, i. e. falsely and maliciously, otherwise not actionable. And that if a man speak slightly of a Magistrate, if it be when he is not in the exercise of his Office, it is no defaming of him as a Magistrate, and so no trespass against the Law alledged.

To which *David Lloyd* replied, That what was spoke against *Samuell Jennings*, must needs relate to him as a Magistrate, for take away *Samuell Jennings*, and where will the Magistrate be?

And *Sam. Jennings* said, Take away *Sam. Jennings* the Magistrate, and where will *Sam. Jennings* the Quaker be?

Note, By this it seemeth to *S. Jennings* that it is as inherent in him to be a Magistrate as to be a Quaker, and therefore when his Magistracy ceaseth

ceaseth, his *Quakerism* (according to him) must cease, and like *Hypocrites* Twins live and dye toge her; but yet he may remain to be *Sam. Jennings*, when he is neither Magistrate nor *Quaker*.

And when his Attornys were about further to open the matter, how he writ to him only as a Church Member, and offered to produce some Prebends in the case, *Arthur Cook*, interrupted, saying, *They would not have matters of Religion discoursed there*, saying, *What must Religion be made a cover to revile and defame men, by saying, he did not write to him as a Magistrate, but as a Church Member?*

To which G. K. (as his Friend) desired Liberty to speak, as the Law in that case allows, but they were very unwilling to suffer him to say any thing in behalf of *Peter Boss*, *John White* saying, G. K. was not *Reverend in Curia*; but through much and long Importunity, he was permitted, who then told them, That a Distinction must needs be allowed of words spoke to a man as he is only in a private Capacity, and as he is a Magistrate; for when Magistrates, as *Arthur Cook* and *Sam. Jennings*, give us hard words, calling us *Ranters*, *Apostates*, *Lyars*, *Wicked and Ungodly men*, &c. ye will not say ye give us these Names as Magistrates; and then if ye can speak to us, not as ye are Magistrates, we may also speak to you not as ye are Magistrates.

Thomas Harris his Attorney, and *G. Keith* his Friend, profered to speak further to several things that had been alledged by *D. Lloyd* and *J. White*, but were much menaced by *Arthur Cook*, and so was *Peter Boss* himself, which was much resented in the minds of many, that a man hath not liberty boldly to speak in his own defence, nor his Attorneys nor Friends for him, but often when they were pleading, *Commanded Silence upon pain of Imprisonment*: Whereupon some complained, that it was hard that he had not liberty fairly to plead his own Cause. To which *Arthur Cook* said, *That as a Christian he could bear any thing, but not as a Magistrate*. Which was noticed by many how *A. Cook* set the Christian and Magistrate in opposition the one to the other, as if we were not to expect that when they act as Magistrates, they are indued with Christian Patience, Meekness, and Long-suffering, as if when they act the Magistrate, they put off the Christian.

[*Note*, That a little before *Sam. Jennings* and *David Lloyd* would not allow of any distinction betwixt the Magistrate and *Quaker*, and yet now to serve his turn his Brother *Cook* grants it: Oh! the Confusion, Deceit and Hypocrisie of these men!]

G. Keith pleaded further, though with much difficulty, That Peter Boff being a Member of the Quakers Church, they ought not to go to Law with him until they had proceeded orderly with him in the mens Meetings, and given him Gospel Order; for the things of difference betwixt him and Sam. Jennings relate wholly to Church Discipline, and belong to a spiritual Court, and not to this.

Da. Lloyd, *This is a spiritual Court; for in England they can try Atheism in this Court.*

G. K. But Peter Boff is not accused of Atheism; and if a man profess one Alaughty God, this Court hath nothing to do with him for his Opinions or Perswasions in Religious matters.

Then D. Lloyd read a passage out of a Law Book, *That certain words spoke against a Bishop or Minister, were not actionable, nor was actionable when spoke against a private person; which (said he) is the present case.*

A Person standing by, said, *May not sin be reproved in a Bishop or Magistrate? At which they were greatly offended, and caused an Officer to take the said Person, viz. Ralph Ward, out of the Court.*

but for the further satisfaction of the Jury, and all others present, that he did not defame Sam. Jennings as a Magistrate, Peter Boff greatly pressed to have his said Letter read, which after some time was done, tho' with great Impatience. The which Letter here follows, viz.

THe Paper lately publisht at Philadelphia by 28. against G. K. and those joyned with him, &c. has and is like to occasion much Trouble & Difference among us, not only because of the false Things contain'd in it, as is well known to many Witnesses, and now to impose it on all the Meetings, is plain down right Popery, and gives just occasion to all, not only to judge it as it is for the abuse, but also inspect further into things, and to see these ministering Imposers upon other mens Conferences, like unto the Roman Clergy. And to show how ill the People do resent these things, one who was not a Quaker, so soon as the Paper was made publick, says, What Dutch work is here like to be! a Pack of Fools have sent their Bull out: what a piece of work you'll see in a short time, and how they'll expose themselves, & force others to send it home in Print, says he, with worse words of some, unfit to mention here, &c. By exposing this your Edit, you have made all people your Judges, into whose hands it shall come (the Papists themselves) for your Unrighteous Judgment, and drawing in those with you that have subscribed to they know not what, who were not present at either of

the Meetings, so consequently did not hear the words charged on G. R. to be spoke by him, &c. but have taken all upon Trust, and signed as a man that would be a false Witness to a Bill or Bond for Money, where none is due. 'Tis hoped, that some will see their over-haste, and repent it, as well as others have done: How can you expect this All o, yours will be accounted Righteous Judgment, to condemn a man for Words, and cover one anothers Deeds, as well as worse words in and among your selves. Has J. S. ever been dealt with for his many Enormous palpable gross Miscarriages chargeable upon him, his Greariness and Pride so Insolent and Lo'y, none dared to touch him? and for his abuses to a poor VVorm, who writ to him for Justice and Satisfaction, could have no answer of said Letter; and being discontented to hear him preach to an Auditory, knowing his Life to be Unfavoury, and an Unjust Judge. I write the second Letter to him o, dislike to his preaching, which after he had read flung it in the Fire: Why did he not answer it, & get satisfaction from the Author, but that he knew himself Tardy, resolv'd to Exercise Bonners Cruelty on my poor paper: And its matter o, sorrow there's divers among you know enough of S. J. but you cover him and one another, and whom you please to abuse, down with him again; do you think people are blind, and without sence? be it known, they see, they hear, &c.

1. Pray let it be queried into, whether it was not true that S. J. did wage his Horse with John Slocum, to ride a Race with their Horses? and whether J. Slocum did not refuse to take the advantage of him, because S. J. was Drunk, &c?

2. And pray let it be inquired into, whether S. J. at another time was not so drunk, could scarce get over the Ship side of Joseph Bryar, when at Burlington?

3. And pray let it be inquired, whether the said S. J. did not wickedly surveyin a Tract of Land which Joh. Antrum had actually begun to do?

4. And pray let it be enquired into, whether S. J. did not take away the Meadow of Richard Matthews, who being in England, took the Advantage? What the Effect will be, Time must manifest, how Odious he will render others for S. J's sake, he being a pretty eminent man in London.

5. And pray let be enquired into the Actions and Abuses of S. J. to John Skeen, deceased, which should have been answered at Burlington Meeting.

6. And pray let it be inquired into, whether it was S. J. or J. Simcock that was by two Persons carried to Bed Drunk?

7. And pray let it be further enquired into, whether it was the said S. J. or J. Simcock that was so drunk, lost a Coat that was borrowed of another

man, &c? Seeing so many of you have condemned G. K. for words let these Actions be also condemned, they being as great Pretenders to be Ministers as him. And pray take special care this be not burnt, as the former, having a Copy of the same. Peter Bols.

Which being read, Peter Bols produced the Testimonys of several credible Persons, concerning the matters contained in the said Letter, and preit hard to have them read, because they proved some of the things queried, at least. But they were very unwilling to have them read, saying, it was no evidence unless the persons were present in Court; altho' it is well known that Attestations in writing have been often accepted in this Court; & it may be noted, that at the former Sessions he had his Witneses ready in Person waiting all the time of the Court, which was great Charge to him, but by reason of the Extreimity of the Weather, could not be preient now: However, at last, through much importunity they admitted some of the Papers to be read, which here follow, viz.

Concerning a Report which has been about Sam. Jenings's riding a Wager with John Slocum, I do here testify, That about three Years now past, Sarah Biddle, Wives of W. Biddle, senior, she being at Burlington, did tell it me thus, as followeth, That she reproving her Son William, who had been riding hard, she said, his answer was, Wny Mother, may not I so well as Sam. Jenings, be could ride a Race, or did ride one, with John Slocum, and John won his Horse, but he would not take the advantage of Samuell, because Samuell was Causé, (John Slocum said) says William to his Mother: This I do here affirm, that I had it from Sarah Biddles own mouth, and that she understand the word Causé to be drunk. Mary Budd.

Burlington in West-New-Jarsey, the 1st of October, 1692.

Attested before me, Edward Hemlock, Justice.

Whereas there is a Report of S. Jenings riding a Race with J. Slocum, thus much I William Bastill do hereby affirm to the truth of, the said Report, Will. Biddle, sen. did tell me, that S. Jenings and J. Slocum did ride a Race together, and that John did win S. Jenings Horse, which was a white Gray, and that which J. Slocum did ride on W. Biddle did buy of J. Slocum; and that it was at or about the time when the Provinces were divided, and that the Race was run in some place between Amboy and George Keith's Land in East-Jarsey, as they came from Amboy.

October, the 21st, 1692.

Will. Bastill.

As concerning a Report of S. Jennings riding a Race with J. Slocum about three Years ago, W. Biddle, sen. at Dinner, and his Wife in company at his own House did tell me, that S. Jennings did ride a VVager with J. Slocum, and lost his Horse, which I am ready to be attested to, if further need shall require, as witness my hand hereunto set, this 2d of Novem. 1692.

Henry Beck.

Memorand. That my Sister Sarah Bainbridge told me, that William Biddle did say in her hearing, that as he was riding from East-Jarvey towards his own House, he heard a noise, where upon he looked behind him, and did see Sam. Jennings and J. Slocum ride after him very fast, and J. Slocum said to S. Jennings, I have won thy Horse as fair as ever any man won any thing in this World:

John Bainbridge.

A concerning the Report that S. Jennings surveyed the Mead^e of Rich^d. Matthews, I have this to say, being then and then present, I being assistant at that time to Simon Charles in surveying Land for Samuel, I went with S. Jennings to the said Meadow, and told him that was the Meadow that I had formerly surveyed to Rich. Matthews: He bid me shew him the Lines of the survey: we went and searched, and found only one Tree or two marked by the meadow side, and no more; for there had been a fire, that had not only burnt up most of the Trees there by the Root, but also the Surface of the Meadow it self, so that we could find no marks in any order; then I produced a Copy of the Records of the Survey, which was the same with this following, viz: Surveyed also that piece of Meadow lying at the Northwest corner of the said Land, extending to the Neck or narrowest place of the same; as it is now marked; all making up the number of 500 acres, as aforesaid: But notwithstanding Samuel bid Simon put it into the survey, which he accordingly did. Now Elias Far being Attorney for Rich. Matthews, and hearing of what Samuel had done, he made application to me, whereupon I went to Sam. Jennings about it, and signified to him, that in my Judgment, he could not hold that Meadow, neither by Equity nor by Law. For which is testified by me,

Daniel Leeds.

Attested before me Edward Hemlock, Justice, Octob. 1. 1692.

Memorandum, That Y^e James Silver, then Servant to Sam. Jennings, being troubled at his Severity towards his Servants and Creatures, viz. his working one upon and breaking his Kne upon him, and over loading and beating

Beating both Servants & Cattle, when not able to go forwards, and one time broke the Rib of an Ox by his unmerciful Beating, and taking taking Benj. Moore by the Throat as he was coming of his Bed, bore my Testimony against it, as unsuitable to the Spirit of Christ, he took occasion to deal very hardly with me, and hit me go almost Naked, and when Winter grew on, and I complained under the sever of Cold, he threatened to make me creep, or come on my hands and knees to him, like a Dog or Spaniel, or break my Bones.

Burlington, the 5th Month,

James Silver.

1692.

[*Note, This James Silver was a man in years, and a Friend, and one that has had many Servants himself, whom he thus treated for witnessing against his great Cruelty.*]

John Smith saith, That being at Philadelphia on or about the 28th of August, 1692. meeting with Sam. Jenings before his own door, his first Salutation to me was such, as followeth, What! are thou a Keturian, Rascally Fellow, worse than an Infidel, that neither knows Law nor Gospel, must thou prate, sorry Rascally Fellow, I'd call for a Constable, and send thee to the Crew, thou art like them, a Company of Rascally Fellows; I'll leave thee to know, that we are able to judge both George Keith and the Country. And thus he did revile and call me Rascal and worse than an Infidel many times over; and this was presently after he was come from a Meeting, and for no other Cause than saying to one who hanged up the Proclamation, (against G. K. which they posted up both in Town & County) Ye may as well hang the other side forward, for it shews their folly, a little Haman-like: This abuse to me was not unlike his former Actions and Behaviour to other his Servants, as instance on a time, James Silver, an Ancient man, his poor Servant, for showing him his naked Thighs, and complaining for want of Clothes, Sam. Jenings told him he would make him to creep on his Hands and Knees, like a Spaniel, and flap his back, if he would not hold his prating, &c.

John Smith.

Note, That several other Testimonies might be here set down concerning S. Jenings disorderly walking and behaviour in his Family and among his Neighbours: and particularly his Inhumane Whipping of his Servant Maid naked in her Bed, the manner and circumstances of which I shall here omit for modesties sake; but these here produced are sufficient to show, that there was cause for Peter Boss to write to him; and though these Evidences do not prove every thing queried in that

Letter,

Letter, yet these things being commonly reported abroad, were cause enough, one would think, for the *Quakers* to call him to an account, and search out the bottom of these things, but that he is grown so so Proud, so High and Imperious, that none dares to touch him. Nay, lately one of his own Church Members, not coming into Court at his Command, he bid *Perch him Headlong*, and fined him Ten Pound for not coming, & committed him to Goal, to remain till paid, tho' the man says, he had no business at Court, and it would have been to his prejudice to have gone; but all People resenting these Actions of *Sam. Jenings* very Ill, *Arthur Cook* said, *I'll go to my Lord Judge, and see if I can persuade him.* Yet the next day he can put on his Canonical Robe and imitate a Disciple of the Meek *Jesus*, and compare himself to poor *Mordecai*; and then again before he leaves the Pulpit, and that on a Sunday or first day of the Week, put on his Magistratical Robes, and tell the People, *That now he speaks to them as a Magistrate*; and because they did not break up their Religious Meeting at his Command, he calls out, *Is there ever an Offence there? let Proclamation be made in the King and Queen's Name for all Persons to depart to their own Habitations, and see if they'll dare to sit here.* They that cannot see this man swell'd above the Meekness of a true Minister of Christ, and transforming himself, like Satan into an *Angel of Light*, 2 Cor. 11. 13, 14. I must conclude they are blind, and have lost their senses.

But to leave this Digression, after the reading in Court of as many of the above-cited Testimonies, as they would suffer, the Jury went out upon it, and brought in *Peter Bos's* only Guilty of Transgressing the 29 Chapter of Laws of this Province, viz. against speaking slightly of a Magistrate. Upon which the Bench gave Judgment, *That Peter Bos should pay Six Pound.*

And to back the former Instances and hints of the unjust Actions of this man, take the brieve of a Letter from one of their present Church Members to him, which is as follows, viz.

Samuell Jenings, I perceive thou art no Changing, thou look'st like a man for Bulk and Talk, like a Christian sometimes; but really Samuell, whatever thy self or others think of thee, I do hereby tell thee, and that under my Hand, That I have met with more truly Noble and Manlike Treatment, and the Exercise of better Christianity among the Turks, than hath appeared hitherto in thee towards me: Surely Samuell, hadst thou exercised

exercised but the common sense and capacity of a Rational man, thou couldst not think that the Governour would send a man, two thousand Miles with Instructions to take care and charge of his Servants, Goods and Stock, should be in a meaner capacity than his Negroes, and not have a supply of Necessaries, &c. but this thou hast very irrationally and unmanly denyed unto me, and both thy self, and Wife have proved False and Deceitfull unto me: Thou requested me to write for thee, and promised Satisfaction for my Labour, and I wrote about 149 Laws of the Province, and a Copy of the King's Charter to the Governour, and a List of the Governours Tenants in the County of Bucks, with the Quantity of Land they hold, and upon what Tenure; but like a deceitful man thou refusedst to perform thy promise; And know this, that beside thy Promise, I have thy Letter under thy hand to produce, as also the Evidence of one of the most Credible Persons in the Town, whom thou toldst, That I had wrote a Copy of the Laws for thee, and thou wast to pay me 18 s. for it. Nay, yet further, Samuell, when the Commissioners, which are thy Overseers, (to whom thou art obliged to render an Account, so often as they require it of thee) had ordered thee to let me have 50 s. for a supply of Necessaries, thou refusedst to let me have it, unless I would take it in my Shop Goods (which would have proved little better than a Cheat, for thou wouldst have charged 50 s. to the Governour's Account, when, its like, I should not have had really the value of 25 s. of thee. I once more consulted the Commissioners, who very freely and willingly wrote to thee a few Lines, signed with their own hands, & gave it to me to deliver to thee, wherein they ordered thee to pay me 50 s. in Silver Money, according to their former Order; but thou returnedst them this Answer by me, That thou wouldst not answer their Bill, bidding me carry it back to them again; which indeed is no other than an unchristian and unmanly slighting of the Commissioners, and a base and sordid Contempt of and trampling on that Power which the Governour hath invested them with over thee and his Affairs; one might think by thy Deportment towards them, that thou dost neither know thy self, nor the Station in which thou art placed by the Governour; for Samuell, thou art no other than a Mercenary Servant, and that during the will and pleasure of the Governour, and the Commissioners are thy Overseers and Controulers, to whom thou art obliged to render an Account, &c.

Thy true Friend,

John Philly.

Then next George Keith called into Court and set to the Bar.
Crier, O yes, Silence is commanded upon pain of Imprisonment.

The

The Presentment read,

We of the Grand Jury do present George Keith and Thomas Budd Authors of a Book, entituled, The Plea of the Innocent, where in p. 13. about the latter end of the same, they the said Geo. Keith & Tho. Budd defamingly accuse Sam. Jennings, (he being a Judge and Magistrate of this Province) of being too high and imperious in Worldly Courts, calling him an Ignorant, Presumptuous and Insolent Man, greatly exposing his Reputation, and of an ill President, & contrary to the Law in that made & provided.

Clark, What say you George Keith, are you guilty or not guilty of this Presentment.

G. Keith, Before I be deminded to plead to the Presentment, I desire to be heard a few words. Which the Court granting, he said, I would have you to consider, that both ye and we are as Beacon set on a Hill, and the Eyes of God, Angels and Men are upon us, and if ye do any thing against us that is not fair and just, not only these parts hereaway will hear of it, but Europe also; for if we be wronged (if God permit) we think to make it known to the World.

Here some were very impatient, telling him, he menaced the Court, but he would do well to take heed what he did, for if he spoke or published any thing in derogation of the Sentence of Court, it was against a Law in this Province, and he would be punished for it.

G. K. An able Lawyer hath said, when a man is wronged, and can have no other Remedy, printing is his last: Ye must give Loosers leave to complain: Our Friends have done it formerly in Old England when they have been unjustly dealt by, and particularly William Penn and George Whithead. I will not say any thing against your Law, but I suppose the true sense of it is, that if any derogate from the Sentence of a Court, if the Sentence be just, he is punishable, but not otherwise. Are your Courts infallible? Is it not possible that at times they may give an unjust Sentence?

David Lloyd, Yea, our Courts are Infallible in Law, George, I assure thee.

G. K. Then why do ye admit of Appeals? If they be infallible, there is no occasion to appeal to a higher Judiciary.

Then David Lloyd went about to mend the matter, saying, They were Infallible so far as the Law was Infallible, and so far as they kept to the Law.

Note, This is as if he had said, they are infallible so far as they are Infallible,

Infallible, which is not very good sense, unless they mean, that they are not absolutely Infallible, but conditionally, and if conditionally only, it is possible they may give a wrong Sentence, and he who they give it against may complain, without just cause of Offence, otherwise their Court here is as Arbitrary as any in the World.

Next, G. K. desired to know in what Capacity *D. Lloyd* did plead there against them, seeing he was not the King's Attorney?

D. Lloyd, *We have no Kings Attorney.*

G. K. I understood, that *Patrick Robinson* is the Kings Attorney.

D. Lloyd, *No he is not.*

G. K. But he is Attorney General.

D. L. *He is neither Kings Attorney, nor Attorney General.*

G. K. What is he then?

D. Lloyd, *He is the Proprietary's Attorney.*

Now G. K. still pressing to know in what Capacity *D. Lloyd* did plead, it was answered, That the Court allowed him to plead.

Now, That it was admitted by the Auditory, that this *David Lloyd* should be so Confident and Brazen-fac'd, as to tell, in an open Court, that *Patrick Robinson* was not the Kings Attorney, and thrust himself into that place, purposely to vent forth some of his inveterate Hatred and Malice against *G. Kesh* and the rest, which he did to purpose, by steering and perverting the places, by him brought, from their true sense; and yet this man pretends to be a late Convert to the Religion of the People called *Quakers*. If they were all such, it would make one abhor them for Notorious Hypocrites.

G. K. I desire you to hear me a little further, and that is, That I think it very unfair, that these who are deeply prejudiced against me, and my opposite Parties and Accusers, should be my Judges, as particularly *Sam. Jennings* and *Arthur Cook*, the last of which but a few days ago (the 5 of 10 mon.) told me at his own house, before divers Witnesses, and *Joan White*, Sheriff, is witness, that when he warned me to the Court, I told him, I thought to come, but did not think to plead, unless I had a fair Jury, *Arthur Cook* said; Truly George, a Fool One will serve thee. Now let the Court judge, whether this man is fit to sit upon the Bench to judge me, who says, That a Fair Jury will serve me. Suppose I had been the greatest Malefactor, will any say, A Fool Jury will serve to try me? is not this to destroy all Fundamental Laws? I appeal to you here, the Justices and Jury, such

of you as are most manifestly Prejudiced against me, for my faithful Testimony to the Quakers antient Principle against all use of outward Weapons, Whether ye do as ye would be done by? Would ye be willing that a company of men wholly of our side, (tho' honest) should be on a Jury to judge you?

Sam. Jennings, *We shall take care that ye shall not be our Judges:* Which was an Evasion from the Question, and seemed to be a Jest or Scoff that he pleased himself with, and which are more frequent with him then Expressions of Mercy and Justice.

G. K. I have yet something further to say, before I plead to the Presentment, but being unacquainted with your Formalitys in Law, desire that no advantage may be taken against me on that account.

Court, *No advantage shall be taken against thee on that account.*

Clark, *What say you, George Keith, to your Presentment, are you Guilty or not Guilty?*

G. K. Not guilty in manner and form. And now that I have answered to the Presentment, Not Guilty, my chief and only Plea that I think to make use of, unless ye will say that so to do is a Contempt of the Court, and of your Authority, which by no means I would be guilty of, my chief Plea is, That I am not presentable by the Grand Jury for any thing alledged against me, they being no Offences against the King, Governour nor Country, what I have laid was only against particular Persons, who if they think themselves wronged by me, may sue me in their own Names, and I am ready to answer them.

Court and Clark, *It is no Contempt of Court, but the season of your so pleading is over, you should have said so before you pleaded Not Guilty; now you must submit to be tryed by the Country.*

G. K. I knew not this formality in Law, ye told me, ye would take no advantage against me in that respect. But the Clark still pressing him to come to a Tryal, G. K. further said, I think not to make any other plea; for the things for which I am presented are not against the King, Governour, nor any Nuisance to the Country, nor against particular Persons, as Magistrates, and therefore not presentable.

Clark, *If ye refuse to be tryed by the Jury, the Bench has Power to fine you.*

G. K. I shall take my hazard of that; I have able Council that the things whereof am accused, are not presentable by the grand Jury.

D. Lloyd, *If able Council has so advised thee, their Counsel has failed in this.*

G. K.

G. K. To call a man *Proud* and *Imperious* is not Actionable.

D. Lloyd, *Tho' not Actionable, yet Presentable.*

G. K. If not actionable, not presentable.

D. Lloyd, *That is not a good Consequence.*

But let all impartial Readers judge, whether it be not a good Consequence, that if words spoke concerning particular Persons, not as Magistrates, be not actionable, that therefore they are not presentable; because, for what are they presentable, seeing they are neither against the King, nor Government, nor Country, nor particular men as Magistrates?

D. Lloyd. *There is a Law of this Province, that no words of Defamation must be spoken against a Magistrate, nor shall any speak slightly or abusively of them, which thou hast done.*

G. K. They were not spoke to him as a Magistrate, nor when he was in the exercise of his Office; and to call him *High* and *Imperious* doth not reflect on him as a Magistrate: If I had called him *Ignorant* in the Laws, and *Unjust* in the Execution of them, this would have reflected on him as a Magistrate, but not to call him *High & Imperious*; for *Piety*, whereof *Humility* is a Branch, is no essential Qualification of a Magistrate, tho' it be of a Christian and Minister of Christ; the only essential Qualifications of a Magistrate, are to be *knowing the Law*, and *just in the Execution of them*.

[*Note*, That it is no Reflection on a Taylor, Shoe-maker, or the like Trades-man, to be called *Proud*, for he may be a good Artificer altho' he be *Proud*, but to be *Proud* reflecteth on him as he professeth to be a Christian or Minister of Christ. And this distinction *Sam. Jennings* must needs allow, unless he will say, that when he exerciseth his Magisterial Office he is no Christian, but wholly putteth off his Qualifications of a Christian, as a man putteth off one Garment and putteth on another. But if he will say he is still a Christian, as well as a Magistrate, then he ought to be humble, meek and forbearing, especially to his Fellow Church Members, not high and imperious, and exacting the severity of the Law of them; for even the Law saith, *Summum jus, Summa Injuria*, i. e. *The Rigour of the Law is high Injustice*; for if the Law of England be *Lex Misericordia*, as it is called, then well may the Law of Christianity be called *Lex Misericordie*, i. e. *The Law of Mercy*; that is, forbearing, and exacteth not the utmost farthing.

[*Note* further, That one Reason of these words being men-

tioned in the *Plea of the Innocent*, viz. That S. Jennings *was* too high & imperious in worldly Courts, was, that a little time before he had commanded to bring one of his fellow Members (viz. *Samuel Buckley*) *Headling to the Court*, and fined him ten Pound for refusing to come at his Command, and sent him to Prison, to remain without Bail till paid. Now admit he did not illegally in this, or unbecoming a severe austere Magisterial Officer, yet was it not unbecoming a tender Christian, who should be meek and merciful?

G. K. Having refused to plead otherwise than as above mentioned, Dav. Lloyd bid the Clark record him *Nil dicit*, i. e. he saith nothing. To which G. K. replied, Why should he record me *nil dicit*? I think I have said a great deal. And after some further discourse, G. K. was set aside, and Thomas Budd set to the Bar, the most material discourse that passed here follows, viz.

The Presentment being read, the Clark said, *Thomas Budd, What say you, are you guilty, as you stand here presented, or not guilty?*

T. Budd, Not guilty, as there presented, but own my self to be one of the Authors of that Book, called, *The Plea of the Innocents*.

Clark, *By whom will you be tryed?*

T. Budd, By God and the Country.

D. Lloyd, as Attorney against him, pleaded, *That to call a man proud and Tyrannical, was to reflect on the Government that constituted him, &c.*

G. Keith, in behalf of Tho. Budd, answered, That what was there said of Sam. Jennings, as to calling him Ignorant and Presumptuous, was not said of him, as he was a Magistrate, but as he professed himself to be a Christian and Minister of Christ; I opened those words in the *Plea of the Innocent*, concerning S. Jennings, and know they were not intended against him as a Magistrate, as the foregoing words in that Book do manifest; but that he is ignorant in Divinity, that Book gives an Instance, and we now here affirm, else he would never have said, *That to do Gods Business, we needed Gods Power; But to do our own Business, as men, we needed not a supernatural Power*, nor have joynd with them that say, *The Light within is sufficient to Salvation without any thing else*, thereby excluding the Man Christ Jesus from having any part in our Salvation. And our calling him *Presumptuous and Insolent* did relate to his severe pressing me to an absolute Submission to their Judgment, in a matter of Conscience, whereas S. J. refused to submit to the Judgment

ment of Friends, both here and at London, in worldly matters; also, his calling me *Apostate*, and worse than *Prophane*, in a publick Meeting, as well as in private; and saying, *We shall see thee to know*, George, that *we shall judge thee*, and his signing that Paper of the 28 against me, wherein they so boldly assert, *I hat they have tenderly and orderly dealt with me*; whereas they never dealt with me.

After some further pleading, the Jury were called, and *Tho. Budd* was asked, *If he had any Exceptions to make against any of them?*

Tho. Budd, Yes, I except against all of them that are called *Quakers*, because I perceive they are them that are parties against me.

D. Lloyd, That is too general, and is no Exception in Law.

Tho. Budd, I except particularly against *Rish. Walter*, because he signed the Paper of the 28 against us (which this Book was an Answer to) and against *James Fox*, because he signed a Paper in the Quarterly against us; and I except against *Joseph Kirtle* and *John Whitpane*, because they have spoke against *G. K.* and me, and justified these Presentments against us.

But these Exceptions would not be allowed of; and therefore the above named Jurors went forth, and next morning brought in their Verdict, That *Thomas Budd* was guilty of saying, *Samuell Jennings had behaved himself too high and imperiously in Worldly Courts.*

To which *Tho. Budd & George Keith* pleaded, That it was no Verdict, not being found to be a breach of any Law, any more than the Verdict of the Jury at Old Bayley, which was, *That they found W. Penn guilty of speaking in Grace-Church-street, which the Court took to be a clearing of him.* But this was nothing regarded by our Justices, for they proceeded and gave Judgment against *Thomas Budd* and *George Keith*, viz. *That they should each of them pay five Pound a piece, as a Fine.* And tho' in this case *Sam. Jennings* was the Person only concerned as the Adversary Party, yet he sat on the Bench when they gave Judgment against *G. K.* and *T. B.* Which was judged most unreasonable and illegal, that *Sam. Jennings*, (who is the Governour's Receiver of all Fines and Forfeitures) should be so actively concerned in fining these men, having so manifestly before showed his Prejudice against them. Beside, it being expressly contrary to a Vote of an Assembly of this Province, the 3d Month, 1689 (where *Arthur Cook* was Speaker) viz.

Resolved, nemine contra dicente, That it is an Apprehension that any Person who is commissioned or appointed by the Governour to receive the Gu-
vernour's

vermour's Fines, Forfeitures and Revenues whatsoever, shall sit in Judgment in any Court of Judicature within this Government, in any matter or cause whatsoever, where a fine or forfeiture shall or may accrew to the Governour.

But Arthur Cook could now wink at this Aggrievance, and let Samuel Jennings sit on the Bench when these Persons were fined.

But for a further proof that Sam. Jennings has shown himself too High and Imperious, observe what follows, viz.

1st. That when G. K. was pleading in Court, and showing how S. J. had behaved himself too high and imperious, he said, *If thou be High and Imperious, I will be yet more High and Imperious.*

2^{dly}, Upon the Jury's bringing in their Verdict against *Theo. Ashly*, S. J. thus reproaches him, viz. *Thou told me formerly that I had done my worst, but now thou art fallen into my hands, thou shalt know that I have not done my Worst yet.*

3^{dly}, He said to another Person, *Thou shalt have as little Justice as I can.*

4^{thly}, He said to John Skeen, who had been Governour, and was then Judge, *Thou pitifull Whip-jack, I despise thee*; and yet we find not that John Skeen had bin presented or prosecuted at Court for this more than ordinary abusive and scurrilous Expression, short of common Humanity; and yet this is he who now can say, *He will bear no affront, though showing how unlike he is to a true Christian, and even to many as well Heathen as Christian Magistrates, who have borne with Patience, great Affronts and Reflections from Persons far inferiour to them.*

5^{thly}, Another Instance of S. J.'s Pride and Insolency is, that on the 10th of the 10 Month, coming out of Court, said to Ralph Ward and John M^r. Gomb, in the open Street, before many Witnesses, *If I draw forth my Hand against you, (stretching forth his Arm and shaking it) I will not pull it in untill, I have quelled you all.* This presumptuous Expression favoureth too much of Lucifer's Pride, who said, *I will be like the most High, I will exalt my Throne above the Stars of God.* Isa. 14. 13, 14. It is too High an Expression, and too peremptory for any mortal Man to say, *If I draw forth my Hand, I will not pull it in untill, I have quelled you all.* What is this in a manner, but to equal himself to God Almighty, Deut. 32. 40, 41. *For I lift up my Hand to Heaven, and say, I live forever, If I whet my glittering sword, and mine Hand take hold on Judgment, I will render Vengeance to mine Enemies, &c.* Oh! is it not above the Power of mortal Man, to say, *If I draw out my Hand, I will not pull it in untill I have quelled you all!* Is not this to talk a

if he were the Almighty ? But know, O vain weak Man ! thy Breath is in thy Nostrills, and that infinite Power that made thee, (if thou draw forth thy Hand against the Innocent, glorying in thy Power that is but small) may cause thy Hand to Wither or turn Leprous, and lay thy Body and Power in the Dust, and cast both Soul and Body into Hell Fire. And therefore Repent of this thy abominable *Pride* and *Insolency* before it be too late.

And tho' *Sam. Jennings* is now so zealous for the prosecuting them that lay any thing against Magistrates, yet its not long ago that he spoke much against *Tho. Lloyd*, Deputy Governour, and carried about (out of one County into another) a parcell of Lampooning Rhymes, made against *T. L.* call'd, *Taffy's Fair*, which he repeated over his Pots of Beer to make sport for the Company.

But to return, altho' the Jury brought in a special Verdict, which was only, *That Thomas Budd was guilty of saying, Sam. Jennings had shown himself too high & imperious in Worldly Courts*, which is no Transgression of any particular Law, yet the Bench gave Judgment against them as tho' they had broke some Law, which was, *That G. K. & T. B. should pay 5 l. apiece*. Whereupon they finding themselves aggrieved by this Judgment, craved an Appeal to the Provincial Court in Law, which was denyed them. Then by Advice of able Council, they requested an Appeal to the King and Queen, & their Council in England, the King having reserved all Final Appeals to himself, in the Charter to *W. P.* But this also was denyed them, (tho' *Robert Turner* declared his dissent in this matter, as in several other their Proceedings) so that the said Persons are left without all help or remedy, but must undergo the Arbitrary Sentence of this Court.

And as a further Mark of the miserable declension of these men, and of their cold zeal for the honour of God, take a view of two Laws which they now execute; the first is the 5th Chapter of their Laws, where it is enacted, *That whosoever shall speak loosely and prophanely of Almighty God, Jesus Christ, the holy Scriptures or Spirit of Truth, shall for every such Offence pay 5 s.* The other place is Chap. 29, where it is enacted, *That whosoever shall speak slightingly, or carry himself abusively against a Magistrate, shall for every such Offence suffer according to the Quality of the Magistrate, provided it be not less than 20 s. according to which Law they have fined Peter Boff Six Pound, & G. K. and T. B. each Five Pound, for speaking slightingly of Sam. Jennings, as they pretend. Whereas if they had spoke Prophanely of Almighty God, Jesus Christ,*

the Spirit of Truth or holy Scriptures, the Law inflicts but y^e. Were not these men far more zealous for their own Honour than the Honor of God, they would never let this disproportion of Punishment for offences against Almighty God and poor Mortal Man, stand upon Record thus, to their shame and Infamy.

The 10 of the 10 Month, 1692. William Bradford was called into Court, and set to the Bar,

The Presentment read, the substance of which was, *That they presented the 9, 10, 11, & 12 Articles of the Paper, call'd, An Appeals &c. as being of a tendency to weaken the hands of the Magistrates. And we presented William Bradford for printing of the said Seditious Paper, &c.*

Clark, *What say you, William Bradford, are you guilty as you stand presented, or not guilty?*

W. Bradford, *In the first place, I desire to know, whether I am clear of the Mittimus, which differs from the Presentment.*

The Clark and Attorney read and perused the Mittimus & Presentment, and finding them to differ, said, *That when W. B. was cleared according to Law, he was clear of the Mittimus.*

But W. B. insisted to know, Whether on the issue of the Presentment, he was clear of the Mittimus? And after a long debate thereon, answer was made, *That W. B. was clear of the Mittimus on the Issue of the Presentment.*

Next, W. B. desired to know what Law that Presentment was grounded on?

D. Lloyd, *It is grounded both on Statute and Common Law?*

W. B. *Pray let me see that Statute and Common Law, else how shall I make my Plea?* Justice Cook told us last Court, *That one reason why ye deferred our Tryal then, was, that we might have time to prepare our selves to answer it;* but ye never let me have a Copy of my Presentment, nor will ye now let me know what Law ye prosecute me upon.

D. Lloyd & J. White, *Its not usual to insert in Indictments against what Statute the Offence is, when its against several Statutes & Laws made; and if thou wilt not plead Guilty or not Guilty, thou wilt loose thy Opportunity of being tryed by thy Country.* And they order'd the Clark to write down, that W. Bradford refused to plead; which he did; but as he writing it down, W. B. desired they would not take that advantage against him, for he refused not to plead, but only requested that which

was greatly necessary, in order to his making his own Defence; and several in the Court requesting on the Prisoners behalf, that the Court would not take advantage against him, they admitted him to plead, and he pleaded, *Not Guilty*.

Then the Jury were called over, and attested, viz. Humphrey Watkinson, Joseph Nixley, James Fox, Samuel Houbi, Thomas Wharton, Isaac Mearle, Discholas Radwin, John Whipsaw, Richard Sutton, Richard Walters, Thomas Morris, Abraham Kinsman. But before they were attested, they asked W. B. if he had any Exceptions to make against any of them that were returned for the Jury?

W. Bradford, Yes, I have, and particularly against two of them, (and which Exceptions I think are rational,) and that is against Jos. Mearle and James Fox; for at the time when I was committed to Prison Arthur Cook told me, That Joseph Mearle had said, That if the proceedings of the Magistrates was thus found fault with, that they must not defend themselves against Thieves and Robbers; Merchants would be discouraged of coming here with their Vessels, &c. And I except also against James Fox, because on the first day after Robin and his Company were taken, I being at Sam. Carpenters, there was Governour Lloyd, James Fox, and several others, & in discourse concerning taking of the said Privateers, James Fox greatly blamed W. Walker, because he found fault with some Justices that were Quakers, for commanding men, and as it were pressing them to go against the said Privateers; and also James Fox joyned with Gov. Lloyd in saying, We would mark them as Enemies to the Government and well being of the Province, who were mutinous in the case of going against Robin, &c. By which Instances I think it appears that these two Persons have prejudg'd the Cause that is now to come before them; Joseph Mearle acknowledged he had spoke such words, and desired to be discharged, but they would not allow of these Exceptions, altho' it is frequent in these Courts to change Jurors on barely saying they do except against such a one.

L. Lloyd & Clark, These are no Exceptions in Law; must there at any time find them say that they printed that Paper? for that is only what they are to find.

W. B. That is not only what they are to find, they are to find also, whether this be a seditious Paper, or not, & whether it does not tend to the weakening of the hands of the Magistrate.

D. Lloyd, No, that is matter of Law, which the Jury is not to meddle with;

with, but find whether W. B. printed it or not, and the Bench is to judge whether it be a seditious Paper, or not; for the Law has determined what is a Breach of the Peace, and the penalty, which the Bench only is to give judgment on.

Sam. Jennings, You are only to try whether W. B. printed it, or not.

W. Bradford, This is wrong; for the Jury are Judges in Law, as well as in matter of Fact. Which D. Lloyd again denied. Whereupon some of the Jury desired to know what they were to be attested to try, for they did believe in their Consciences, they were obliged to try and find whether that Paper was seditious, as well as whether Will Bradford printed; and some of them desired to be discharged. → A great Noise and Confusion among the People.

Some on the Bench showing their willingness to allow of W. B.'s Exceptions against the two Jurors, Justice Cook said, I will not allow of it; is there four of us of a mind?

Then D. Lloyd began to read the 9, 10, 11, & 12 Articles of the said Appeal, and commented thereupon, denyiug, 1st, That any men were hired to fight, but only to fetch back the Sloop; 2^{dly}, That there was no Commission given, but only a Hue-and-Cry or Warrant, as might be in any other ordinary case, and what was done was in case of great necessity, when a Company of Rogues had Pyratically stolen away a Sloop to the great terror of the People of this place; and if the Magistrates must be blamed for their proceedings herein, what do you think will be the consequence thereof, but to encourage all manner of wickedness? And Will Bradford is presented for printing and publishing this seditious Paper, whereof you of the Jury are to find him guilty, if it appear to you that he has printed it. →

W. Bradford, I desire you of the Jury, and all here present, to take notice, that what is here contained in this Paper is not Seditious, but wholly relating to a Religious Difference, and asserting the Quakers antient Principles, and is not laid down positive, that they ought not to have proceeded against the Privateers, but laid down by way of Query, for the People called Quakers to consider and resolve at their Yearly Meeting, Whether it was not a Transgression of the Quakers Principles to hire and commissionate men to fight?

Justice Cook, If it was intended for the Yearly Meeting at Burlington, why was it published and spread abroad before the Meeting?

W. B. Because it might be perused and considered of by Friends before the Meeting, even as the Bills that are prepared to be passed into

Laws,

Laws, they are promulgated a certain Number of days, before the Assembly meets, that all may have opportunity to consider them.

Then *D. Lloyd* read the Act against Printing, 14 Car. 2. cap. 33. against Books being printed without the Printers Name to them, and he said, *That was one Act which they prosecuted W. Bradford upon.*

To which *G. K.* answer'd, and it may be observed, the singular and extraordinary Severity of these Justices, called *Quakers*, who will pick out a Statute made in *Old England*, and prosecute a man upon here, which might Ruin him and his Family, tho' its not certain whether that Act be in force; whereas most of *W. Penn's* & the *Quakers* Books were printed without the Printers Name to them, when that Act was in force; and yet we never heard that any Printer in *England* was prosecuted for that; and therefore these here have exceeded them in *England*; which manifests their Malice and revengeful Spirit, that because they cannot fix the matter to be any Breach of the Peace (tho' they pretend it is) they'll prosecute the Printer for not putting his Name to what they suppose he Printed.

Note, That all the time these Persons were upon Tryal, the grand Jury sat by them, over-awing and threatening them when they spoke boldly in their own defence, and one of the Jury had Pen, Ink & Paper to write down such words as they disliked, signifying that they would present them, and Justice Cook other times bid them take notice of such and such words, thereby over-awing the Prisoners that they had not liberty to plead freely. And when *Tho. Harris*, at the Request of the Prisoner began to say something to the matter, they stop't him, and bid an Officer take him away, and *Arthur Cook* said, *That he should plead no more there.*

After a long time of pleading, *D. Lloyd* began to summons up the matter to Jury, *How that the printed Appeal was a Seditious Paper, and tended to weaken the Hands of the Magistrates, and encourage all manner of Wickedness; and that it was evident W. Bradford printed it; he being the Printer in this place, and the frame on which it was printed, was found in his House.*

W. B. I desire the Jury, and all here present to take notice, that there ought to be two Evidences, to prove the matter of Fact, but not one Evidence has been brought in this case.

Sam. Jening. *The Frame on which it was printed is Evidence enough.*

W. B. But where is the Frame, there has no Frame been produced

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here; and if there had, it is no Evidence, unless ye saw me print on it.

Sam. Jennings, *The Jury shall have the Frame with them, it cannot well be brought here; and beside the Season is cold, and we are not so fit here to endanger our Health; you are minded to put Tricks upon us.*

W^m. B. You of the Jury, and all here present, I desire you take notice, that here has not one Evidence been brought to prove that I printed the Sheet, call'd, *An Appeal*: And whereas they say, the Frame is Evidence, which the Jury shall have; I say, the Jury ought not to hear or have any Evidence whatsoever, but in the presence of the Judge and Prisoner.

Yet this was nothing minded, but Sam. Jennings sum'd up to the Jury what they were to do, viz. To find, 1st. whether or not that Paper, call'd, *the Appeal*, had not a tendency to the weakening the hands of the Magistrates, and encouragement of Wickedness: 2^{dly}, Whether it did not tend to the Disturbance of the Peace? And, 3^{dly}, Whether William Bradford did not print it, without putting his Name to it, as the Law requires?

The Jury had a Room provided them, & by that time they had been a quarter of an hour together, the Sheriff caus'd the Frame to be carried in to them, for an Evidence that W. B. printed the Appeal.

The Jury continued about forty eight hours together, and could not agree, then they came into Court to ask a Question, viz. Whether the Law did require two Evidences to find a man guilty? To answer which D. Lloyd read a passage out of a Law Book, That they were to find it by Evidences, or on their own knowledge, or otherwise: Now (says D. Lloyd) is otherwise is the Frame which you have, which is Evidence sufficient.

W^m. Bradford, The Frame which they have is no Evidence, for I have not seen it, and how do I or the Jury know that that which was carried in to them, is mine, — Interrupted — The Jury sent forth again, and an Officer commanded to keep them without Meat, Drink, Fire or Tobacco.

In the Afternoon the Jury came into Court again, and told, they were not like to agree. Whereupon the Court discharged them.

Then W^m. Bradford told the Court, That seeing he had been so long detained Prisoner, and his Utensils with which he should work having been so long detained, he hoped now to have his Utensils returned, & to be discharged from his Imprisonment.

Sam. Jennings, No, thou shalt not have thy things again, nor be discharged,

discharged, but I now let thee know, thou stand'st in the same Capacity to answer next Court, as before.

Next Court being come, *Wm. Bradford* attended, and desired to know whether he should have his Utensils, and be discharged? *Arthur Cook* answered, Thou shalt not have thy Goods until released by Law.

W. Bradford, The Law will not release them, unless executed.

Arthur Cook, If thou wilt request a Tryal, thou may have it.

Whereupon I Query, 1st. Whether it be practicable, or according to Law to seize mens Goods and imprison their Persons, and so detain them under the Terror of a Goal, one six Months after another, and not bring them to Tryal, unless requested by the imprisoned?

2^{dly}. When a Jury is Sworn, *Well and truly to Try, and true Deliberance make between the Proprietor and Prisoner*, Whether it be not very illegal to absolve them from their Oath, dismiss them, and put it to another Jury to try?

Now it may be observed, that nine of these Jurors were Persons prejudiced against *G. K.* and the rest, and the other three happened to be moderate Persons that were not called *Quakers*, and the reason they could not agree, was (as some of the said Jurors, called *Quakers*, have told) that these three Persons stood upon the Nicety (as they call'd it) of Evidence that *W. B.* printed that Paper; whereas the other Jurors called *Quakers* said, they believed that *W. B.* printed it, and that it was a seditious Paper, &c. and they would not acquit him.

Does not this show the great declension of these People from their ancient Principle against the use of Carnal Weapons, that for only proposing it to be enquired into, Whether it be not a Transgression of the *Quakers* Principle, for any of that People to hire and commission men to fight, that they will cast men into Goal, & prosecute them as Seditious Persons for so doing?

Here follows a breviate of a Paper that was presented to the Court, to show, that it was agreeable to the *Quakers* ancient Testimony not to fight, which they took little or no notice of.

A Declaration from the People of God, called Quakers, against all Plotters and Fighters, &c. Presented to the King, 1660.

ALL Bloody Principles and Practices, we, as to our own particulars, do utterly deny, with all outward Wars and Strife, & Fightings with outward Weapons, for any end (*Mark*) or under any pretence whatsoever.

whatsoever. And this is our Testimony to the whole World. — And we do certainly know, and so testify to the World, that the Spirit of Christ, which leads us into all Truth, will never move us to fight and war against any man with outward Weapons, either for the Kingdom of Christ, nor for the Kingdoms of this World. — We have used no Force nor Violence against any man, &c. when we have been wronged, we have not sought to revenge our selves — So that if we suffer as suspected to take up Arms, or make War against any, its without any Ground from us; for it neither is, nor ever was in our hearts since we owned the Truth of God, neither shall we ever do it, because it is contrary to the Spirit of Christ, his Doctrine, and the Practice of the Apostles. Given forth by

George Fox,	John Staks,	Lenord Fell,
Rich. Hubbertson,	Francis Howgill,	Samuell Fisher,
John Boulton,	Gerrard Roberts,	Henry Fell,
John Furley, junr	Thomas Moore,	John Hind.

See also *Rev. Apology*, Thel. 15. S. 15. p. 399. And S. 15. p. 401 he says, "As to what relates to the present Magistrates of the Christian World, albeit we deny them not altogether the Name of *Christians*, because of the publick Profession they make of Christs Name, yet we may boldly affirm, that they are far from the Perfection of the *Christian Religion*, because of the state in which they are, they have not come to the pure Dispensation of the Gospel; but for such whom Christ has brought thither, it is not lawful to defend themselves by Arms, but ought over all to trust in the Lord."

Object. The Scriptures and old Fathers, so called, did only prohibit private Revenge, not the use of Arms for the Defence of our Country, Bodies of Free Children, Goods, when the Magistrate commands it.

Ans. If the Magistrate be truly a *Christian*, or desires to be so, he ought in the first place to obey the Command of his Master, saying, "Love your Enemies, &c."

R. C. Answer to Brown, S. 16. p. 181. Brown mentions the necessity of *Defensive War*, to defend from those that unjustly assault, Thieves, Robbers and Cut-Throats, &c. *A. Barclay* saith, Herein speak more like an *Atheist*, than a *Christian*, and like one who believes nothing of a divine Providence in restraining evil Men.